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C O N F I D E N T I A L SECTION 01 OF 02 MONROVIA 000695

SIPDIS

DEPARTMENT FOR AF/W

E.O. 12958: DECL: 09/29/2019
TAGS: [PGOV](#) [KDEM](#) [EAID](#) [LI](#)
SUBJECT: SIRLEAF VETO PUSHES THRESHOLD BILL BACK TO
LEGISLATURE

REF: A) MONROVIA 280 B) MONROVIA 661

Classified By: Classified By: Amb. Linda Thomas-Greenfield for reasons
1.4 (b) and (d).

11. (SBU) SUMMARY. On September 17, President Ellen Johnson Sirleaf exercised her line-item veto authority to reject the Threshold Bill segment guaranteeing each county a minimum of two seats in the House of Representatives. This followed a determination by the Solicitor General confirming the two-seat minimum's unconstitutionality. Sirleaf also told the National Legislature that the cost of expanding the House required under a constituency population threshold of 40,000 would adversely affect the government's anti-poverty goals. The House responded by passing a threshold bill that removed the two-seat minimum proviso, but maintained the 40,000 threshold. The lower chamber subsequently ended its session on September 28. The Senate remains in session. It may soon concur with the House action or put off consideration until the Legislature reconvenes. Delayed action will put pressure on plans for 2011 elections, while expansion of the House could burden the GOL's meager budget. END SUMMARY.

SIRLEAF VETOES THRESHOLD BILL'S TWO-SEAT PER COUNTY GUARANTEE

12. (C) President Sirleaf gave Charge advance notice of her intent to veto the two-seat minimum provision of the Electoral Threshold Bill passed by the Legislature (Ref B) in a September 15 meeting. The president said that the Solicitor General gave a "firm" legal opinion on the matter and that the Executive Mansion was convinced that the Legislature lacked the votes to overturn Sirleaf's veto.

13. (SBU) The president then line-item vetoed the section of the bill guaranteeing a minimum of two House seats for each county via a September 17 letter to the National Legislature. She called the vetoed segment unlawful, stating that, "allocating seats not based on (county) population growth and movement violates the Constitution." Sirleaf also stressed that the estimated USD 6.2 million needed to fund the additional House seats called for in the bill would derail national development initiatives. In her letter, the president proposed a higher threshold of 45-50,000 residents per constituency rather than the 40,000 in the vetoed bill.

HOUSE RESPONDS QUICKLY, SENATE REACTION DELAYED

14. (SBU) In response to Sirleaf's action, the House of Representatives passed a revised threshold bill during a September 18 special session. The updated measure removed the two-seat per county guarantee, but maintained the population threshold at 40,000. The bill was belatedly delivered to the Senate on September 24, after reportedly being held up by House Speaker Alex Tyler, who opposes Sirleaf's veto. The House then concluded its current session in a September 28 ceremony.

¶5. (SBU) Sirleaf's request for a higher threshold may find support in the Senate, where members are more favorably inclined to accommodating Executive Mansion requests. The Senate now has the choice of agreeing to the revised measure or passing its own version with the president's requested higher threshold. The former will end the debate. The latter will push the threshold bill into a discussion by members of both chambers in a conference committee.

¶6. (C) With the House out of session, there is a risk that the threshold question may not be resolved until the next legislative session officially begins in January 2010. However, the president told Ambassador on September 28 that she intends to recall the Legislature before the end of the year to address mining concessions whose passage is needed to avert an impending budget shortfall, and the House could reconsider at that time. She said she is continuing to push for a 48,000 threshold.

¶7. (SBU) COMMENT: Sirleaf's decision to veto the bill can be attributed to fiscal prudence and pressure from the International Contact Group on Liberia for passage of a sensible threshold bill. The president's action was still risky. Most legislators from Sirleaf's Unity Party (UP) opposed the veto, citing possible loss of support for the president and UP in small counties that stand to lose representation. Even though legislators are fatigued, it is in Liberia's interest for the president to press the legislature to finalize the threshold bill before the end of this year. More delay could adversely affect the credibility and/or possibility of the 2011 election.

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THOMAS-GREENFIELD